

THE

Acts and Resolves

PASSED BY THE

GENERAL ASSEMBLY

OF THE

STATE OF VERMONT,

AT THE

OCTOBER SESSION,

1859.



PUBLISHED BY AUTHORITY.

MONTPELIER:

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1859.

SEC. 7. This act shall be under the control of any future legislature, to alter amend or repeal; and shall take effect from its passage.

Approved November 21, 1859.

No. 78.—AN ACT TO INCORPORATE THE PLAINFIELD AQUEDUCT COMPANY.

SECTION

1. Corporators. Name and powers of corporation.
2. First meeting. By-laws. Assessments.
3. Corporation may take waters of certain fountains, &c. may dig up any street, &c. to lay and keep in repair their aqueduct, &c. Proviso.
4. Corporation may enter upon lands necessary for their aqueducts to pass through and lay pipes, &c. May agree with owner for same. Corpo-

SECTION

- ration or owner may apply to county court. Commissioners appointed. Proceedings and decision.
5. Power of corporation to contract debts &c.
6. Inhabitants may draw water from pipes to extinguish fires.
7. This act to be subject to certain general laws, and be under the control of the legislature. Takes effect from its passage.

It is hereby enacted by the General Assembly of the State of Vermont, as follows:

SEC. 1. James Batchelder, Spencer Lawrence, Daniel Batchelder, Henry Kinney, James M. Batchelder and Charles H. Heath, and their associates and successors, are hereby constituted a body corporate, by the name of the Plainfield Aqueduct Company, with the powers incident to corporations, and may hold real and personal estate not exceeding ten thousand dollars in value, for the purpose of constructing and maintaining an aqueduct to

supply the inhabitants of the village of Plainfield with water for domestic and other purposes.

SEC. 2. The first meeting of said corporation may be called by either of the persons above named, at any time within one year from the passage of this act, by giving personal notice of the time and place of such meeting to each and all the rest, at least six days previous to said meeting, and said corporation may, at such and all other meetings legally notified, make, alter and repeal such by-laws, rules and regulations as may be thought necessary, not repugnant to the laws of the state; and such corporation may divide their stock into as many shares, and provide for the sale and mode of transfer thereof, as said corporation may, from time to time, deem expedient, and may levy and collect assessments on such shares according to law.

SEC. 3. The said corporation may take the waters of such fountains and springs as they may purchase or lease of the owners for that purpose, and may dig up or open any street, common or highway, for the purpose of constructing and laying down such aqueduct or reservoirs connected with the same: *Provided*, the same be done in such a manner as not to prevent their convenient use for travel, and be completed in a reasonable time, and so as not to injure or disfigure such common or highway; and in all cases where said corporation shall lay or repair any portion of their said aqueduct or its reservoirs in any inclosed land, they shall pay all damage done to any crops thereon, and shall leave the surface of said land, as near as may be, in as good condition as it was before laying said aqueduct, and shall construct said aqueduct below the reach of ordinary tillage.

SEC. 4. The said corporation may enter upon and use any land and inclosure through which it may be necessary for said aqueduct to pass, on the most practicable route from whence its waters may be taken, for the purpose of placing such reservoirs

and pipes, as may be necessary for constructing, completing and repairing said aqueduct, and may agree with the owners thereof for the use of the same ; but in case of disagreement, or if the owner thereof be a minor, insane, out of the state, or otherwise incapacitated to sell and convey, said corporation, or the owners or persons interested in lands so entered upon, may apply to the judges of the county court for the county of Washington, by petition, who shall appoint forthwith three disinterested persons to view the premises and assess the damages sustained by the owners or occupiers of such land by the construction of said aqueduct ; and said committee shall appraise said damages, on oath, and report the same to the county court for the county of Washington, at its first session thereafter ; and if their report shall be accepted by said court, said court shall render judgment thereon, and may issue an execution therefor with costs.

SEC. 5. Said company shall have power to contract debts, borrow money and issue their bonds or other obligations therefor, and for their security and payment mortgage the property, either real or personal, of said company, together with their franchise ; which bonds or other obligations and mortgages shall be executed in such manner as said company shall, by a by-law for that purpose, direct ; and any such mortgage shall be recorded at length in the town clerks's office in Plainfield, and shall be binding on said company.

SEC. 6. The inhabitants of the village of Plainfield may put hydrants into the pipes of said aqueducts, and draw therefrom, free of expense, as much water as may be necessary when any building shall be on fire in said village : provided that such hydrants shall be so secured that water shall not be drawn from them except to extinguish fires.

SEC. 7. This act shall be subject to the provisions of chapter

eighty-three of the compiled statutes, entitled "of private corporations," and may be altered, amended or repealed, as the public good may require, and shall take effect from its passage.

Approved November 21, 1859.

No. 79.—AN ACT TO INCORPORATE THE GUILDHALL FALLS WATER COMPANY.

SECTION

1. Corporators. Name and powers of corporation.
2. First meeting. By-laws. Capital stock. Assessments.
3. Power of corporation to take waters of certain springs, &c.
4. Corporation may dig up and open streets &c. to lay and keep in repair their aqueducts, &c.

SECTION

5. May enter upon land necessary for their aqueduct to pass through. May agree with the owner for the use of same. Corporation or owner may apply to county court. Commissioners appointed. Proceedings and decision.
6. This act to be subject to certain general laws and to be under control of the legislature.

It is hereby enacted by the General Assembly of the State of Vermont, as follows:

SEC. 1. Greenleaf Webb, Nathaniel Shaw, George Hubbard, David Kent, Jr., John Dodge, Josiah D. Jackson, George N Dale and Wm. H. Hartshorn, their associates and successors, are hereby constituted a body corporate, by the name of the Guildhall Falls Water Company, with the powers incident to corporations, and may hold real and personal estate, not exceeding five thousand dollars in value, for the purpose of constructing and maintaining an aqueduct to supply the inhabitants of the village of Guildhall, in the county of Essex, with pure water for domestic uses.